IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Young-Joo Song	]	Art Unit: 2441
	]	
Serial No: 10/580,290	]	Ex.: Taylor, Nicholas R
	]	
Filed: April 4, 2007	]	

For: DATA STRUCTURE, EVENT REPORTING SYSTEM AND METHOD FOR
        EVENT REPORTING.

AMENDMENT UNDER 37 CFR 1.111

Mail Stop Amendment
The Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the non-final office action dated August 26, 2011, setting a 3-month shortened statutory period for reply ending on November 28, 2011, as November 26th fell on a Saturday, the applicants submit the following responsive amendment in the above-identified application. This amendment is considered to place the application in better condition for allowance.

The Commissioner is authorized to charge the fee required for the RCE ($465.00. small entity) and others, if any, to Deposit Account No. 12-0400.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 25 of this paper.

AMENDMENTS TO THE CLAIMS

The listing of claims presented below will replace all prior versions and listings of claims in the application.

Listing of claims:

1.   (withdrawn) An Event Report Request data for requesting to deliver an Event Report data, wherein the Event Report data reports an Event occurred in accordance with use of a digital item, the Event Report Request data comprising Delivery Time information describing time for transmitting the Event Report data,

wherein the Delivery Time information includes:

a specific time;

an elapsed time; and

a periodic time.

2.   (withdrawn) The Event Report Request data as recited in claim 1, wherein the specific time includes information requesting to transmit the Event Report data at least one of on a first time, after the first time, before a second time and between the first time and the second time.

3.   (withdrawn) The Event Report Request data as recited in claim 2, wherein the elapsed time includes information requesting to transmit the Event Report data at least one of after on, before after a third time, before a fourth time and between the third time and the fourth time.

4.   (withdrawn) The Event Report Request data as recited in claim 1, further comprising Time information describing time on which the Event occurs,

wherein the Time information includes:

a specific time;

an elapsed time; and

a periodic time.

5.   (withdrawn) The Event Report Request data as recited in claim 4, wherein the specific time includes information on which the Event occurs at least one of on a first time, after the first time, before a second time and between the first time and the second time.

6.   (withdrawn) The Event Report Request data as recited in claim 2, wherein the elapsed time includes information on which the Event occurs at least one of after on, before after a third time, before a fourth time and between the third time and the fourth time.

7.   (withdrawn) The Event Report Request data as recited in claim 1, further comprising To Whom information,

wherein the To Whom information includes:

a mandatory recipient to whom the Event Report data is transmitted in mandatory; and

an optional recipient to whom the Event Report data is transmitted in optional.

8.   (withdrawn) The Event Report Request data as recited in claim 7, further comprising:

Condition Descriptor describing conditions for the delivery of the Event Report data, i.e., Event condition related to operation for a digital item and Event occurrence time; and

ERR Descriptor describing identification and characteristics of the Event Report Request data.

9.   (withdrawn) The Event Report Request data as recited in claim 8, wherein the Condition Descriptor includes:

Time information describing the Event occurrence time;

DI Related Operation describing user operation condition in accordance with the use of the digital item; and

Peer Related Operation describing condition in accordance with the operations occurred in the peer.

10.   (withdrawn) The Event Report Request data as recited in claim 9, wherein the ERR Descriptor includes:

ID describing identification (ID) of the EVENT REPORT REQUEST data;

Description of the EVENT REPORT REQUEST data describing attributes of the EVENT REPORT REQUEST data; and

Access Right describing an access right of the Event Report Request data.

11.   (withdrawn) The Event Report Request data as recited in claim 10, wherein the

Description includes:

Time Stamp describing a time on which the EVENT REPORT REQUEST data is

generated;

Life Time describing a life time of the EVENT REPORT REQUEST data;

History describing a history of changes or modification of the EVENT REPORT

REQUEST data; and

Priority Level describing the priority level of the EVENT REPORT REQUEST

data, wherein the priority level is used by peers to handle Event Report Request data.

12.   (withdrawn) The Event Report Request data as recited in claim 11, further

comprising:

ER Descriptor describing contents and formats of the Event Report data

corresponding to the Event condition;

Delivery Descriptor describing generation and transmission schemes of the

Event Report data; and

To Whom describing a recipient of the Event Report data.

13.   (withdrawn) The Event Report Request data as recited in claim 12, wherein the

ER Descriptor includes:

ER Data Descriptor describing a report data list and format of the Event Report

data, wherein the report data list is a list of information to be included in the Event

Report data; and

ERR describing another Event Report Request data requesting an operation, e.g., an acknowledgement or forwarding of the Event Report Request data.

14.   (withdrawn) The Event Report Request data as recited in claim 13, wherein the ER Data Descriptor includes:

ER ID describing identification of the Event Report data; and

Report Data describing a list of information which the Event Report data reports.

15.   (withdrawn) The Event Report Request data as recited in claim 14, wherein the To Whom includes:

Peer IDs, which is identification information of the peers receiving the Event Report data; and

User IDs, which is identification information of the users receiving the Event Report data.

16.   (withdrawn) The Event Report Request data as recited in claim 15, wherein the Delivery Descriptor includes:

Format describing a format of data used for generating the Event Report data;

Access Right describing access right to the Event Report data;

Encryption describing an encryption algorithm for encrypting the Event Report data;

Authentication describing an authentication algorithm for authenticating the

Event Report data;

Delivery Time describing time to delivery the Event Report data;

Protocol describing a protocol for delivering the Event Report data; and

Compression describing a compression algorithm for compressing the Event Report data.

17.   (withdrawn) The Event Report Request data as recited in claim 16, wherein Report Data includes:

Peer Data describing information on the peer; and

User Data describing information on the user.

18.   (withdrawn) The Event Report Request data as recited in claim 7, further comprising:

ER Descriptor describing contents and formats of the Event Report data corresponding to the Event condition; and

Delivery Descriptor describing generation and transmission schemes of the Event Report data

19.   (withdrawn) The Event Report Request data as recited in claim 16, wherein the ER Descriptor includes:

ER Data Descriptor describing a report data list and format of the Event Report data, wherein the report data list is a list of information to be included in the Event Report data; and

ERR describing another Event Report Request data requesting an operation,

e.g., an acknowledgement or forwarding of the Event Report Request data.

20.   (withdrawn) The Event Report Request data as recited in claim 19, wherein the

ER Data Descriptor includes:

ER ID describing identification of an Event Report data;

Access right describing access right to the Event Report data;

Report Data describing list of information which the Event Report data reports;

and

Format describing a format of data used for generating the Event Report data.

21.   (withdrawn) The Event Report Request data as recited in claim 20, wherein the

Delivery Descriptor includes:

To Whom describing a recipient of the Event Report data;

Delivery time describing time to delivery the Event Report data; and

How describing a transmission method of the Event Report data.

22.   (withdrawn) The Event Report Request data as recited in claim 20, wherein the

To Whom includes:

Peer IDs, which is identification information of the peers receiving the Event

Report data; and

User IDs, which is identification information of the users receiving the Event

Report data.

23.   (withdrawn) The Event Report Request data as recited in claim 22, wherein the

How includes:

Compression describing a compression algorithm for compressing the Event

Report data;

Encryption describing an encryption algorithm for encrypting the Event Report

data;

Authentication describing an authentication algorithm for authenticating the Event

Report data; and

Protocol describing a protocol for delivering the Event Report data.

24.   (withdrawn) The Event Report Request data as recited in claim 23, wherein the

ERR includes or refers another Event Report Request data requesting an

acknowledgement or forwarding of the Event Report data.

25.   (withdrawn) The Event Report Request data as recited in claim 24, wherein the

DI Related Operation uses terms of right data dictionary (RDD) defined in MPEG-21.

26.   (withdrawn) The Event Report Request data as recited in claim 25, wherein the

Peer Related Operation uses terms of the Peer Environment of a digital item adaptation

(DIA) defined in the MPEG-21.

27.   (withdrawn) The Event Report Request data as recited in claim 26, wherein the

ID of the ERR Descriptor has the same format as a digital item identification (DII)

defined in the MPEG-21.

28.   (withdrawn) The Event Report Request data as recited in claim 1 or 6, wherein

based on schema of eXtensible Markup Language (XML), syntax of the Delivery time

information is defined as:

```
(Table 1)
<xsd:complexType name="DeliveryTime">
        <xsd:choice minOccurs="0">
                <xsd:element name="specificTime" type="SpecificTime"/>
                <xsd:element name="elapsedTime" type="ElapsedTime"/>
                <xsd:element name="periodicTime" type="PeriodicTime"/>
        </xsd:choice>
</xsd:complexType>
<xsd:complexType name="SpecificTime">
        <xsd:choice>
                <xsd:element name="onTime" type="xsd:dateTime"/>
                <xsd:sequence>
                        <xsd:element name="afterOn" type="xsd:dateTime"
minOccurs="0"/>
                        <xsd:element name="beforeOn" type="xsd:dateTime"
minOccurs="0"/>
                </xsd:sequence>
        </xsd:choice>
</xsd:complexType>
<xsd:complexType name="ElapsedTime">
        <xsd:sequence>
                <xsd:element name="beginElapse" type="BeginElapse"
minOccurs="0"/>
                <xsd:element name="endElapse" type="EndElapse"
minOccurs="0"/>
        </xsd:sequence>
</xsd:complexType>
<xsd:complexType name="BeginElapse">
        <xsd:choice>
                <xsd:element name="sTime" type="xsd:time"/>
                <xsd:element name="sDuration" type="xsd:duration"/>
        </xsd:choice>
</xsd:complexType>
<xsd:complexType name="EndElapse">
```

```
            <xsd:choice>
                    <xsd:element name="eTime" type="xsd:time"/>
                    <xsd:element name="eDuration" type="xsd:duration"/>
            </xsd:choice>
    </xsd:complexType>
    <xsd:complexType name="PeriodicTime">
            <xsd:sequence>
                    <xsd:element name="start" type="xsd:dateTime" minOccurs="0"/>
                    <xsd:element name="period" type="xsd:duration"/>
                    <xsd:element name="phase" type="xsd:duration" minOccurs="0"/>
                    <xsd:element name="duration" type="xsd:duration"/>
                    <xsd:element name="periodCount" type="xsd:duration"/>
            </xsd:sequence>
    </xsd:complexType>

    <xsd:element name="deliveryTime" type="DeliveryTime"/>
```

(Table 2)

Name	Definition
"DeliveryTime"	Delivery Time Information
"SpecificTime"	Specific time to transmit ER data
"ElapsedTime"	Elapsed time to transmit ER data
"PeriodicTime"	Periodic Time to transmit ER data
"onTime"	Time at which ER data should be transmitted
"afterOn"	After a time at which ER data should be transmitted
"beforeOn"	Before a time at which ER data should be transmitted
"beginElapse"	Reference time when elapsed time for transmitting the ER data begins. If there is no beginElapse, the reference time is Event occurrence time
"endElapse"	End time of elapsed time by which delivery of the Event Report data is ended
"sTime"	Specific time of a day on which an Event occurs, the specific time at which delivery of an Event Report data for the Event starts
"sDuration"	Duration after specific time of a day on which an Event occurs, the specific time at which delivery of an Event Report data for the Event starts

| "eTime" | Specific time of a day on which an Event occurs, the specific time at which delivery of an Event Report data for the Event ends |
| "endDuration" | Duration after specific time of a day on which an Event occurs, the specific time at which delivery of an Event Report data for the Event ends |

29.   (withdrawn) The Event Report Request data as recited in claim 7, wherein based on schema of eXtensible Markup Language (XML), syntax of the To Whom information is defined as:

```
(Table 3)
<xsd:complexType name="Recipient">
    <xsd:sequence minOccurs="1" maxOccurs="unbounded">
        <xsd:element name="peer" type="xsd:string"/>
        <xsd:element name="reportPolicy">
            <xsd:simpleType>
                <xsd:restriction base="xsd:NMTOKEN">
                    <xsd:pattern value="required"/>
                    <xsd:pattern value="optional"/>
                </xsd:restriction>
            </xsd:simpleType>
        </xsd:element>
    </xsd:sequence>
</xsd:complexType>
<xsd:element name="recipient" type="Recipient"/>
```

(Table 4)

Name	Definition
"Recipient"	Recipient
"peer"	Peer generating Event Report
"reportPolicy"	Event Report policy. If the value is "required", the peer should transmit the ER data, and if the value is "optional", the Event Report Request message is denied and the ER data can not be transmitted.

30.   (withdrawn) The Event Report Request data as recited in claim 1, wherein the

Event Report Request data includes information as:

General Element	Specific Element		
Condition Descriptor	Time		
	Event	DI Related Operation	
		Peer Related Operation	
ERR Descriptor	Description	Time Stamp	
		Life Time	
		History	
		Priority Level	
	ID		
	Access Right		
ER Descriptor	ER Data Descriptor	ER ID	
		Report Data	Peer Data
			User Data
	ERR		
Delivery Descriptor	Format		
	Encryption		
	Access Right		
	Authentication		
	Delivery Time		
	Protocol		
	Compression		
To Whom	Peer IDs		
	User IDs		

31.   (withdrawn) The Event Report Request data as recited in claim 1, wherein the

Event Report Request data includes information as:

General Element	Specific Element		
Condition Descriptor	Time		
	DI Related Operation		
	Peer Related Operation		
ERR Descriptor	Description	Time Stamp	
		Life Time	
		History	
		Priority Level	
	ID		
	Access Right		
ER Descriptor	ER Data Descriptor	ER ID	
		Report Data	
		Access Right	
		Format	
	ERR		
Delivery Descriptor	To Whom	Peer IDs	
		User IDs	
	Delivery Time		
	How		Encryption
			Authentication
			Protocol
			Compression

32. (withdrawn) An Event Report data for reporting an Event occurred in accordance with use of a digital item, wherein the Event Report data provides information specified in an Event Report Request data, the Event Report data comprising:

ER Descriptor describing contents and formats of the Event Report data; and

Source Descriptor describing information on a source generating the Event Report data.

33.   (withdrawn) The Event Report data as recited in claim 32, further comprising:

ER Report data describing reportable information corresponding to items

requested by the Event Report Request data.

34.   (withdrawn) The Event Report data as recited in claim 33, further comprising:

Additional Action Descriptor describing additional actions related to generation,

transmission and reception of the Event Report data corresponding to the Event Report

Request data.

35.   (withdrawn) The Event Report data as recited in claim 34, wherein the ER

Descriptor includes:

identification (ID) of the Event Report data; and

description information describing attributes of the Event Report data.

36.   (withdrawn) The Event Report data as recited in claim 35, wherein the Source

Descriptor includes:

ER Peer ID describing identification (ID) of the peer who generates the Event

Report data at the first; and

Original ERR describing information on the Event Report Request data

requesting to generate the Event Report data.

37.   (withdrawn) The Event Report data as recited in claim 35, wherein the Additional

Action Descriptor includes:

ERR describing another Event Report Request data requesting an operation, e.g., an acknowledgement, forwarding or merging of the Event Report data; and

ER describing another Event Report data to be linked to the Event Report data.

38.   (withdrawn) The Event Report data as recited in claim 37, wherein the description information includes:

Format describing a format of data used for generating the Event Report data;

Encryption describing an encryption algorithm for encrypting the Event Report data;

Compression describing a compression algorithm for compressing the Event Report data;

Access Right describing an access right of the Event Report data;

Authentication describing an authentication algorithm for authenticating the Event Report data;

History describing a history of changes or modification of the Event Report data;

Priority Level describing the priority level to the Event Report data, wherein the priority level is used by the recipient to handle Event Report data; and

Time Stamp describing a time on which the Event Report data is generated.

39.   (withdrawn) The Event Report data as recited in claim 37, wherein the Event Report Report Data embeds or refers reportable information specified in the Event Report Request data.

40.   (withdrawn) The Event Report data as recited in claim 39, wherein the Original

ERR embeds or refers the Event Report Request data requesting to generate the Event

Report data.

41.   (withdrawn) The Event Report data as recited in claim 40, wherein the ERR

embeds or refers another Event Report Request data related to the Event Report data.

42.   (withdrawn) The Event Report data as recited in claim 41, wherein the ER

embeds or refers another Event Report data related to the Event Report data.

43.   (withdrawn) The Event Report data as recited in claim 42, wherein the ER

Descriptor further includes ER Status information describing status of the Event Report

data.

44.   (withdrawn) The Event Report data as recited in claim 32, wherein the Event

Report data includes information as:

General Element	Specific Element
ER Descriptor	ID
	Format
	Encryption
	Access Right
	Authenticate
	Compression
	History
	Priority Level
	Time Stamp
Source Descriptor	ER Peer ID
	Original ERR
ER Report Data	
Additional Action Descriptor	ERR

	ER

45-105.   (canceled)

106.   (**currently amended**) An apparatus for requesting a report on an event for an

Event Reporting on the event that occurs in accordance with use of a digital item

having a first data structure based on Moving Picture expert group (MPEG) from a

standard item of MPEG-21, the apparatus comprising:

      a processor;

      an Event Report Request (ERR) generation means for generating an ERR data

in response to at least one of a user's request and a received ERR data, the user's

request and the received ERR data requesting an Event Report (ER) data for the Event

Reporting;

      an ERR transmission means for transmitting the ERR data generated in the ERR

generation means;

      an ERR receiving means for receiving the ERR data; and

      an ERR analyzing means for analyzing the ERR data received in the ERR

receiving means,

      wherein the ERR data includes **a following second data stucture**:

      ERR descriptor information describing characteristics of the ERR data;

      first ER descriptor information describing characteristics of ER data generated

based on the ERR data; and

      condition descriptor information describing conditions of occurrence of the event,

      wherein the ER data includes **a following third data structure**:

second ER descriptor information describing characteristics of the ER data;

Original ERR information describing ERR data requesting to generate the ER data; and

payload information including reporting information of the ER data,

wherein the ER data further includes ERR information describing information on another ERR data included in the ER data**, and**

wherein each of the usage of the digital item having the first data structure, the ERR generation means having the second data structure means, and the ER data having the third data structure represents a standardized data structure of metadata, which is mutually compatible for each of the digital item, the ERR generation means, and the ER data.

107.   (Previously Presented) The apparatus as recited in claim 106, wherein the ERR descriptor information includes life time information describing a life time of the ERR data.

108.   (Previously Presented) The apparatus as recited in claim 106, wherein the ERR descriptor information includes history information describing a history of creation or modification of the ERR data.

109.   (Previously Presented) The apparatus as recited in claim 106, wherein the ERR descriptor information includes priority level information describing priority level for processing the ERR data.

110.   (Previously Presented) The apparatus as recited in claim 106, wherein the first
ER descriptor information includes identification information of the ER data.

111.   (Previously Presented) The apparatus as recited in claim 106, wherein the first
ER descriptor information includes ER access control information describing information
on a peer or a user that can access to the ER data.

112.   (Previously Presented) The apparatus as recited in claim 106, wherein the first
ER descriptor information includes ER format information describing information on a
format of the ER data.

113.   (**cancelled**).

114.   (Previously Presented) The apparatus as recited in claim 106, wherein the first
ER descriptor information includes at least one of identification information of a peer
and identification information of a user, the peer and the user generating the ER data.

115.   (Previously Presented) The apparatus as recited in claim 106, wherein the first
ER descriptor information includes delivery parameter information describing
information on delivery of the ER data.

116.   (Previously Presented) The apparatus as recited in claim 106, wherein the

Condition descriptor information includes time condition information describing occurrence time of the event.

117.   (Previously Presented) The apparatus as recited in claim 106, wherein the Condition descriptor information includes condition information other than time condition information describing occurrence time of the event.

118.   (Previously Presented) The apparatus as recited in claim 106, wherein the second ER descriptor information includes source information describing information on generation of the ER data.

119.   (**currently amended**) An apparatus for processing a report on an event for an Event Reporting on the event that occurs in accordance with use of a digital item **having a first data structure based on Moving Picture expert group (MPEG) from a standard item of MPEG-21**, the apparatus comprising:

　　　　a processor;

　　　　a monitoring means for monitoring whether or not the event occurs;

　　　　an ER generation means for generating an Event Report(ER) data for an event report corresponding to an Event Report Request(ERR) data requesting the report on the event; and

　　　　an ER transmission means for transmitting the ER data generated in the ER generation means,

　　　　wherein the ERR data includes **a following second data stucture**:

ERR descriptor information describing characteristics of the ERR data;

first ER descriptor information describing characteristics of ER data generated based on the ERR data; and

condition descriptor information describing conditions of occurrence of an event,

wherein the ER data includes **a following third data structure**:

second ER descriptor information describing characteristics of the ER data;

Original ERR information describing ERR data requesting to generate the ER data; and

payload information including reporting information of the ER data,

wherein the ER data further includes ERR information describing information on another ERR data included in the ER data**, and**

wherein each of the usage of the digital item having the first data structure, the ERR generation means having the second data structure means, and the ER data having the third data structure represents a standardized data structure of metadata, which is mutually compatible for each of the digital item, the ERR generation means, and the ER data.

120.   (Previously Presented) The apparatus as recited in claim 119, wherein the ERR descriptor information includes life time information describing a life time of the ERR data.

121.   (Previously Presented) The apparatus as recited in claim 119, wherein the ERR descriptor information includes history information describing a history of creation or

modification of the ERR data.

122.   (Previously Presented) The apparatus as recited in claim 119, wherein the ERR descriptor information includes priority level information describing priority level for processing the ERR data.

123.   (Previously Presented) The apparatus as recited in claim 119, wherein the first ER descriptor information includes identification information of the ER data.

124.   (Previously Presented) The apparatus as recited in claim 119, wherein the first ER descriptor information includes ER access control information describing information on a peer or a user that can access to the ER data.

125.   (Previously Presented) The apparatus as recited in claim 119, wherein the first ER descriptor information includes ER format information describing information on a format of the ER data.

126.   (**cancelled**).

127.   (Previously Presented) The apparatus as recited in claim 119, wherein the first ER descriptor information includes at least one of identification information of a peer and identification information of a user, the peer and the user generating the ER data.

128.   (Previously Presented) The apparatus as recited in claim 119, wherein the first

ER descriptor information includes delivery parameter information describing

information on delivery of the ER data.

129.   (Previously Presented) The apparatus as recited in claim 119, wherein the

Condition descriptor information includes time condition information describing

occurrence time of the event.

130.   (Previously Presented) The apparatus as recited in claim 119, wherein the

Condition descriptor information includes condition information other than time condition

information describing occurrence time of the event.

131.   (Previously Presented) The apparatus as recited in claim 119, wherein the

second ER descriptor information includes source information describing information on

generation of the ER data.

REMARKS/ARGUMENTS

The non-final office action mailed on August 26, 2011, has been reviewed and carefully considered. Reconsideration is respectfully requested.

Amendments to the Claims

Claims 106-131 were pending in the present application prior to this amendment. Claims 106-112, 114-125, and 127-131 are now pending in the present application; among them, claims 106 and 119 are independent claims. Claims 106 and 119 have been amended. Claims 113 and 126 have been canceled without prejudice. No new matter has been added.

Double Patenting

In the office action (page 3), claims 106-131 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being obvious over claims 59-90 of copending Application No. 10/580,483.

The applicants will address this issue at the time that claims from one of the present application and the co-pending application are allowed.

Claim Rejections - 35 U.S.C. §101

In the office action (page 5), claims 106-131 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 106 and 119 have been amended to add --a processor--. These amendments are supported by the published specification at paragraphs [0037], [0040] and [0043].

The applicants respectfully submit that claims 106-131 are directed to statutory subject matter because they are tied to a particular machine or apparatus as defined by the Board of Patent Appeals and Interferences in *Ex parte* Wayne Lewis Dickerson, Jr. (BPAI, July 9, 2009).

The applicants respectfully request that the 35 U.S.C. §101 rejections of claims 106-131 be withdrawn.

Claim Rejections - 35 U.S.C. §112

 In the office action (page 5), claims 113 and 126 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is now moot since claims 113 and 126 have been cancelled.

Claim Rejections - 35 U.S.C. §102

 In the office action (page 6), claims 106-131 stand rejected under 35 U.S.C. §102(a) as being anticipated by "Requirement for Event Reporting" by the ISO WG11 Requirements Group (hereafter referred to as "WG11", and further incorporating WG11's "Current Vision on Event Reporting in MPEG 21," hereafter, "Vision," for clarity and background).

 Claim 106 (and similarly claim 119) now recites in part:

 --An apparatus for requesting a report on an event for an Event Reporting on the event that occurs in accordance with use of a digital item **having a first data structure based on Moving Picture expert group (MPEG) from a standard item of MPEG-21**, the apparatus comprising:
  a processor;
  an Event Report Request (ERR) generation means for generating an ERR data in response to at least one of a user's request and a received ERR data, the user's request and the received ERR data requesting an Event Report (ER) data for the Event Reporting;
  an ERR transmission means for transmitting the ERR data generated in the ERR generation means;
  an ERR receiving means for receiving the ERR data; and
  an ERR analyzing means for analyzing the ERR data received in the ERR receiving means,
  wherein the ERR data includes **a following second data stucture**:
  ERR descriptor information describing characteristics of the ERR data;
  first ER descriptor information describing characteristics of ER data generated based on the ERR data; and
  condition descriptor information describing conditions of occurrence of the event,
  wherein the ER data includes **a following third data structure**:
  second ER descriptor information describing characteristics of the

ER data;

Original ERR information describing ERR data requesting to generate the ER data; and

payload information including reporting information of the ER data, wherein the ER data further includes ERR information describing information on another ERR data included in the ER data**, and wherein each of the usage of the digital item having the first data structure, the ERR generation means having the second data structure means, and the ER data having the third data structure represents a standardized data structure of metadata, which is mutually compatible for each of the digital item, the ERR generation means, and the ER data**--.

Support for the amendments can be found throughout the specification and at least at page 20, line 23 to page 21, line 33 and FIGs. 1, and 10-13.

The applicants respectfully point out that nowhere does the cited reference of WG11 teaches or discloses the following : reporting an Event occurred from usage of the digital item, data structures of Event Report Request data and the Event Report data in a standardized metadata format based on MPEG-21 such that the Event Reporting of the usage of a digital Item can be applied (specification, page 2, lines 30-35 and FIG. 1).

That is, independent claims 106 and 119 have been amended to require that the ER data further includes ERR generation means for generating ERR information describing information on another ERR data included in the ER data for reporting the usage of a digital item such that **each of the digital item, the ERR generation means, and the ER data represents a standardized data structure of metadata, which is mutually compatible for each fo the digital item, the ERR generation means, and the ER data**. This is supported by the original specification at least at page 20, line 23 to page 21, line 33 and FIGs. 1, and 10-13 and is not disclosed in the cited reference of WG11.

Accordingly, the applicants respectfully submit that the cited prior art references fail to teach, disclose, or suggest each and every one of limitations recited in amended claims 106 and 119 of the presently claimed invention recited above.

Therefore, the applicants respectfully submit that claims 106 and 119 are in condition for allowance over the examiner's cited references, where an indication of

allowable subject matter with respect to claims 106 and 119 are respectfully requested.

Additionally and in general, the current Office Action makes various statements regarding the pending claims and the cited references, which the applicants respectfully believe are now moot in light of the above amendments to claims 106 and 119. Thus, the Applicants will not address such statements at the present time in order to minimized the time for the examiner's to have to respond to such statements, and which has been do to expedite the examiner's time for responding to Applicants' argument.

However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a rejection of any current or future claim). The Applicants also reserve the right to argue additional reasons beyond those set forth above to support the allowability of any claims should such a need arise

DEPENDENT CLAIMS

The other claims are dependent from independent claims 106 and 119. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Conclusion

For the reasons set forth above, the applicants respectfully submit that claims 106-112, 114-125, and 127-131, now pending in this application, are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter.
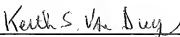
This amendment is considered to be responsive to all points raised in the office action. The examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve any remaining questions or concerns.

When issuance of a Notice of Allowance is proper in the next action, the examiner is asked to rejoin all eligible, withdrawn claims and is further authorized to cancel the remaining, withdrawn claims. The applicant(s) reserves the right to present the cancelled claims in a divisional application.

The examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve any remaining questions or concerns.

Respectfully submitted,

Dated: November 28, 2011

Keith S. Van Duyne, Reg. No. 54,505
Ladas & Parry LLP
224 South Michigan Avenue
Suite 1600
Chicago, Illinois 60604
(312) 427-1300